

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

JUL 28 2020

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NATIONAL LABOR RELATIONS
BOARD,

Petitioner,

v.

CERVERA AUTOMOTIVE GROUP
LLC, DBA Veracom Ford; ROBERT
BRANZUELA,

Respondents.

No. 13-73977

NLRB No. 20-CA-095744
NO DISTRICT,

ORDER

Before: Peter L. Shaw, Appellate Commissioner.

In a July 16, 2020 order, and pursuant to a request filed by the National Labor Relations Board (“Board”), the Appellate Commissioner scheduled a status conference and ordered respondent Robert Branzuela to appear at the status conference on July 27, 2020. The court served the order on Branzuela individually at his last known address and on Branzuela’s counsel of record, Patrick W. Jordan, Esq., and directed him to serve the order on Branzuela. On July 27, 2020 Branzuela failed to appear at the status conference, which was conducted by videoconference.

Jordan stated at the videoconference that he had sent the court's order and instructions for connecting to the videoconference to Branzuela at some point during the week of July 20, 2020, as directed by the court.

This is not the only instance of Branzuela's failure to comply with the court's orders. On August 31, 2018, this court found Branzuela in contempt of the court's December 17, 2013 judgment and the January 12, 2016 consent order by failing to comply with those orders. The court's August 31, 2018 order directed Branzuela to pay contempt fines of totaling \$2,000. Branzuela failed to pay the fines as ordered by the court.

Accordingly, within 28 days after the filing date of this order, respondent Robert Branzuela shall show cause in writing why the court, under its inherent power, should not impose monetary sanctions of no more than \$5,000 for Branzuela's failure to comply with the July 16, 2020 order. *See, e.g., Chambers v. Nasco, Inc.*, 501 U.S. 32, 45-50 (1991); *see also* 9th Cir. Gen. Ord. 12.9(a). Branzuela's failure to file a timely, written response to this order may result in the imposition of monetary sanctions without further notice.